

**REMARKS**

Claims 1 and 3-11 are all the claims pending in the application.

Claims 1, 3-7, 9 and 10 are rejected.

Claims 8 and 11 are objected to.

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of copending Application No. 10/795,446.

Claims 1, 3, 4, 6, 7, 9, 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takashima in view of Watanuki.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takashima in view of Watanuki as applied to claim 4 above, and further in view of Guba.

The Applicants traverse the rejections and request reconsideration.

***Claim rejections under 35 U.S.C. 112***

Regarding claim 5, the Examiner incorrectly contends that the first transponder being replaced by a second transponder is not a structural feature of the apparatus. However, the claim recites the apparatus being “operable” to replace the first transponder with the second transponder. This structural feature of the invention allows the apparatus to have a replaceable

transponder. In other words, the apparatus as a whole includes structural features that would make the replacement of a first transponder with a second transponder possible. Therefore, it is not an improper dependence. A skilled artisan, reading the claim in light of the Specification (see for example the paragraph connecting pp. 8-9) would know the metes and bounds of the claimed invention.

***Double Patenting***

The Examiner is requested to hold the status of the provisional double patenting rejection in abeyance. The Applicants will deal with this rejection once it is made final.

***Claim rejections under 35 U.S.C. 103(a)***

**Rejection of claims 1, 3, 4, 6, 7, 9, 10 based on Takashima in view of Watanuki**

The Examiner's contentions related to the suggestions of Watanuki are believed to be incorrect. The Applicants respectfully submit that, according to the structure of Watanuki, once the cap 9 is attached it cannot be removed. Therefore the cap 9 is not detachable.

Specifically, in Watanuki, since the hooks 10a are engaged in the hooking grooves 7a, it is impossible to release the engagement without inwardly bending the hooks 10a. However, the lid portion of the cap 9 will obstruct such an inward bending of the hooks. Therefore, it is not believed to be possible to bend the hooks 10a. In fact, by having such a structure, Takashima teaches away from having the transponder detachable connected to the lock plate.

On the contrary, since the transponder of the present invention employs the clip connection (as in the exemplary Embodiment 1) or the pin connection (as in the exemplary Embodiment 2), it is easy to detachably attach the transponder to the lock plate.

Further, Takashima (U.S. Patent No. 6,352,045) does not disclose the structure for detachably attaching the transponder to the lock plate.

Watanuki does not overcome the deficiency noted above in Takashima.

Rejection of claim 5 based on Takashima in view of Watanuki and further in view of Guba

Claim 5 is dependent on claim 1. Therefore, it is allowable at least based on its dependency. Specifically because Guba does not overcome the deficiency noted in the combined teachings of Takashima and Watanuki.

*Objections to claims 8 and 11*

Claims 8 and 11 have been found allowable but for their dependence on rejected base claims. The Examiner is requested to hold the status of these claims in abeyance pending resolution of the status of the base claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111  
U.S. Patent Application No.: 10/811,862

Attorney Docket No.: Q80693

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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